

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

SHANNON CARPENTER, *individually and  
on behalf of all similarly situated individuals*,

Plaintiff,

v.

MCDONALD'S CORPORATION,

Defendant.

Case No. 21-cv-02906

Hon. Charles R. Norgle, Sr.

Magistrate Susan E. Cox

**MCDONALD'S CORPORATION'S MOTION TO DISMISS  
FOR FAILURE TO STATE A CLAIM**

Plaintiff's claims under the Illinois Biometric Information Privacy Act, 740 ILCS 14/1, *et seq.*, fail because the allegations and sources in the Complaint make clear that McDonald's drive-thru technology does not use biometric identifiers or biometric information. Plaintiff fails to state any well-pleaded facts to support his allegations that McDonald's collects, captures, or otherwise obtains or possesses "voiceprints" through its use of voice assistant technology. For these reasons, and those set forth in McDonald's accompanying Memorandum of Law, McDonald's respectfully requests dismissal of the Complaint with prejudice.

WHEREFORE, McDonald's Corporation respectfully requests that this Court dismiss with prejudice Plaintiff's Complaint, in its entirety, and award any and all further relief the Court deems appropriate.

Dated: June 25, 2021

Respectfully submitted,

s/ Katherine S. Bailey

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**CERTIFICATE OF SERVICE**

I hereby certify that, on June 25, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification to all counsel of record.

/s/ Katherine S. Bailey  
Katherine S. Bailey